




5-18-12

RESIDENTIAL BOARD OF ADJUSTMENT DECISIONS

**Wednesday, May 16, 2012
1:30 PM
1000 Throckmorton
City Council Chamber
2nd Floor – City Hall
Fort Worth, Texas 76102**

BOARD MEMBERS:

Paul Johnston	<u> </u> P
Ronald R. Shearer	<u> </u> P
Barbara Worthley	<u> </u> P
Jerry Tinkle, Chair	<u> </u> P
Vacant	<u> </u>
Clifford (Carl) Logan, Vice Chair	<u> </u> P
Wade Chappell	<u> </u> A
Shirley Bryant	<u> </u> P
Victoria E. Bargas	<u> </u> P

I. 12:30 P.M. LUNCH/WORK SESSION Pre-Council Chamber

A. Review of Cases on Today's Agenda

II. 1:30 P.M. PUBLIC HEARING Council Chamber

A. Approval of Minutes of the April 18, 2012 Hearings

**APPROVED
6-0-1**

ASSISTANCE AT THE PUBLIC MEETINGS:

The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available on the south side of the City Hall building to the south of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers or large print, are requested to call 817-392-7844, FAX 817-392-7985, or call TDD 1-800-RELAY-TX at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

Executive Session.

A closed Executive Session may be held with respect to any posted agenda item to enable the Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.



B. Translation Cases:

1. BAR-12-075

JAIME AND GRACIELA VALLEJO

CD2

2704 N.W. 20th Street

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One Family District to permit the continued use of a four (4) foot solid wood fence in the front yard.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/1

- b. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of an approximate six (6) foot solid wood fence in the front yard instead of the allowed four (4) foot in height, excessive by approximately two (2) feet in height.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/1

- c. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a chain link fence in the front yard where none is allowed.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 0/7

- d. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a carport encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.

APPROVED 7/0

- e. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a storage shed approximately ten (10) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately two (2) feet.

APPROVED 7/0

- f. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a storage shed approximately three hundred ninety two (392) square feet in area instead of the maximum allowed two hundred (200) square feet in area, excessive by approximately one hundred ninety two (192) square feet.

APPROVED 7/0

2. BAR-12-076

ROSA SANCHEZ

CD5

4533 Pecos Street

- a. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a storage shed encroaching approximately nine inches (9") into the required five (5) foot side yard setback, creating an approximate four foot three inch (4'3") side yard.

APPROVED 7/0

- b. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a storage shed approximately eleven (11) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately three (3) feet.

APPROVED 7/0



3. **BAR-12-077**

JAVIER VARGAS
4909 Nell Street

CD5

- a. Request a **SPECIAL EXCEPTION** in an "A-7.5" One-Family District to permit the continued use of a five (5) foot wrought iron and masonry fence in the front yard.

APPROVED 7/0

- b. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the continued use of an approximate six foot six inch (6'6") wrought iron and masonry fence with a seven (7) foot gate and masonry columns instead of the maximum allowed five (5) feet in height, excessive by approximately one foot six inches (1'6") for the fence and two (2) feet for the gate and column.

APPROVED 7/0

- c. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the continued use of an approximate six foot six inch (6'6") wrought iron and masonry fence without providing the required fifty percent (50%) density.

APPROVED 7/0

4. **BAR-12-084**

RICARDO AND MARIA RODRIGUEZ
2323 Prairie Avenue

CD2

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a garage with living quarters that is approximately nine (9) feet taller the allowed fourteen (14) feet in height of the primary residence, creating a garage with living quarters that is approximately twenty three (23) feet in height.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 2/5

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a garage with living quarters that encroaches approximately five (5) feet into the required five (5) foot rear yard setback, creating an approximate zero (0) foot rear yard.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 2/5



C. Continued Cases:

1. BAR-12-060

FRANKLIN AUTRY
9300 Marbella Drive

CD3

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot solid masonry fence in the projected front yard.

APPROVED 7/0

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a seven (7) foot solid masonry fence instead of the maximum allowed four (4) feet in height, excessive by approximately three (3) feet.

APPROVED 7/0

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an arbor with outdoor kitchen encroaching approximately ten feet nine inches (10'9") into the required twenty (20) foot projected front yard, creating an approximate nine foot three inch (9'3") projected front yard.

APPROVED 7/0

- d. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a pool encroaching approximately twelve (12) feet into the required twenty (20) foot projected front yard, creating an approximately eight (8) foot projected front yard.

APPROVED 7/0

D. New Cases:

- | | |
|----------------|--|
| 1. BAR-12-054 | <u>CASE TO BE HEARD JUNE 20, 2012</u> |
| 2. BAR-12-055 | <u>CASE HEARD APRIL 18, 2012</u> |
| 3. BAR-12-056 | <u>CASE HEARD APRIL 18, 2012</u> |
| 4. BAR-12-057 | <u>CASE HEARD APRIL 18, 2012</u> |
| 5. BAC-12-058 | <u>CASE TO BE HEARD JULY 18, 2012</u> |
| 6. BAR-12-059 | <u>CASE HEARD APRIL 18, 2012</u> |
| 7. BAR-12-061 | <u>CASE HEARD APRIL 18, 2012</u> |
| 8. BAR-12-062 | <u>CASE HEARD APRIL 18, 2012</u> |
| 9. BAR-12-063 | <u>CASE HEARD APRIL 18, 2012</u> |
| 10. BAR-12-064 | <u>CASE HEARD APRIL 18, 2012</u> |
| 11. BAR-12-065 | <u>CASE HEARD APRIL 18, 2012</u> |
| 12. BAR-12-066 | <u>CASE HEARD APRIL 18, 2012</u> |



13. BAR-12-067 CASE HEARD APRIL 18, 2012
14. BAR-12-068 CASE HEARD APRIL 18, 2012
15. BAR-12-069 CASE HEARD APRIL 18, 2012
16. BAR-12-070 CASE HEARD APRIL 18, 2012
17. BAR-12-071 CASE WITHDRAWN BY STAFF
18. BAR-12-072 ISIDRO AND E. PEGUEROS, by Amanda Matehuala CD9
4009 Alamo Avenue
- a. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a carport encroaching approximately four (4) feet into the required five (5) foot side yard setback, creating an approximate one (1) foot side yard.
- DENIED WITHOUT PREJUDICE 7/0**
19. BAR-12-073 DAVID BAKUTIS, by Alan Siggers CD9
3605 Westcliff Road N.
- a. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a carport encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.
- APPROVED 7/0**
20. BAR-12-074 JUAN M. AND ANNA M. GANDARA CD8
11009 Brownfield Drive
- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a second garage where only one (1) garage is allowed.
- APPROVED 7/0**
21. BAR-12-078 OSCAR J. AND DENIZ VARGAS CD5
3624 Smoke Tree Trail
- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot solid wood fence in the projected front yard.
- APPROVED 7/0**
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an eight (8) foot solid wood fence instead of the maximum allowed four (4) feet in height, excessive by approximate four (4) feet.
- APPROVED 7/0**
22. BAR-12-079 VOID



23. BAR-12-080

FELIPE RODRIGUEZ AND P. GONZALEZ, by Juan Barboza
3950 Panola Avenue

CD8

- a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the use of the land for large animals on a lot that is approximately seven thousand five hundred (7500) square feet in area instead of the required one half (1/2) acre of contiguous land and without providing the required ten (10) thousand square feet of pasture land and without living one quarter (1/4) mile from the property.

DENIED 6/1

- b. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the construction of a four (4) foot solid fence in the front yard.

DENIED 6/1

- c. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of an approximate eight (8) foot solid fence instead of the maximum allowed four (4) feet in height, excessive by approximately four (4) feet.

DENIED 6/1

24. BAR-12-081

ANDREW H. AND HOLLY D. STARR, by Holly Starr
15008 Burwood Court

CD2

- a. Request a **VARIANCE** in an "A-7.5" One-Family District to permit the continued use of a storage shed that is approximately sixty (60) feet from the front property instead of the required seventy five (75) feet, deficient by approximately fifteen (15) feet.

DENIED WITHOUT PREJUDICE 7/0

25. BAR-12-082

LUIS O. AND ANABEL MERCADO
4505 Glacier Street

CD9

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the enclosure of a garage eliminating the one (1) parking space behind the front building line.

APPROVED 7/0

26. BAR-12-083

WHITNEY AND C.B. BOYDSTUN, by Bennett Benner Pettit
6319 Rosemont Avenue

CD3

- a. Request a **VARIANCE** in an "A-21" One-Family District to permit the construction of an addition to the main residence and attached garage encroaching approximating four feet one inch (4'1") into the required ten (10) foot side yard setback, creating an approximate five foot eleven inch (5'11") side yard.

APPROVED 7/0



27. BAR-12-085

MARVIN HAYES, by Dorothy Hayes
6409 Willard Road

CD5

- a. Request a **SPECIAL EXCEPTION** in an "A-10" One-Family District to permit the continued use of land for five large animals without living the required one quarter (1/4) mile from the property.

APPROVED 7/0

- b. Request a **VARIANCE** in an "A-10" One-Family District to permit the continued use of a barn that encroaches approximately five (5) feet into the required five (5) foot required side yard, creating an approximate zero (0) foot side yard.

APPROVED 7/0

28. BAR-12-086

EDWARD A. AND PAMELA W. CLARKE
3215 Avondale Avenue

CD9

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of four (4) wrought iron fence in the projected front yard.

APPROVED 7/0

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an approximate six (6) foot wrought iron fence instead of the maximum allowed four (4) feet in height, excessive by approximately two (2) feet.

APPROVED 7/0

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a residence encroaching approximately fourteen (14) feet into the required thirty four (34) foot projected front yard, creating an approximate twenty (20) foot projected front yard.

APPROVED 7/0

- d. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a pool encroaching approximately twenty five feet six inches (25'6") into the required thirty four (34) foot projected front yard, creating an approximate eight foot six inch (8'6") projected front yard.

APPROVED 7/0

29. BAR-12-087

DENVER R. AND DONNA GILLIAM
13000 Singleton Drive

CD7

- a. Request a **VARIANCE** in an "A-43" One-Family District to permit the construction of a workshop encroaching approximately ten (10) feet into the required twenty-five (25) foot side yard setback, creating an approximate fifteen (15) foot side yard.

APPROVED 7/0

- b. Request a **VARIANCE** in an "A-43" One-Family District to permit the construction of a workshop approximately seventeen (17) feet instead of the maximum allowed twelve (12) feet in height, excessive by approximately five (5) feet.

APPROVED 7/0



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30. BAR-12-088

CLEVELAND HARRIS, Jr.
6421 Willard Road

CD5

- a. Request a **SPECIAL EXCEPTION** in an "A-10" One-Family District to permit the continued use of the land for ~~seven (7)~~ six (6) large animals on a lot that is approximately thirty eight thousand (38,000) square feet in area instead of the required ~~seventy thousand (70,000)~~ sixty thousand (60,000) square feet in area, deficient by approximately ~~thirty two thousand (32,000)~~ twenty-two thousand (22,000) square feet in area and with the owner not living one quarter (1/4) mile from the property.

APPROVED 7/0

III. ADJOURNMENT: 3:16 P.M.